

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

LONNIE E. WEATHERS,

No. 02-3310 MMC (PR)

Petitioner,

**ORDER DENYING REQUEST TO
PROCEED IN FORMA PAUPERIS**

v.

E. ROE, Warden,

(Docket No. 39)

Respondent

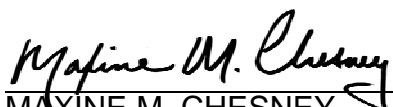
On July 10, 2002, petitioner, a California prisoner proceeding pro se, filed the above-titled petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On November 2, 2005, the petition was denied on its merits, and that same date judgment was entered against petitioner. On May 25, 2006, the Court denied petitioner's request for a certificate of appealability. On August 30, 2006, petitioner filed herein a request for leave to proceed in forma pauperis on appeal. Because the Court has not certified that the appeal is taken in good faith, the request to appeal in forma pauperis is hereby DENIED. See 28 U.S.C. § 1915(a)(3).

The Clerk shall transmit a copy of this order to the Court of Appeals.

This order terminates Docket No. 39.

IT IS SO ORDERED.

Dated: November 3, 2006


MAXINE M. CHESNEY
United States District Judge